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Date: May 28, 2004

By: Kay L. Gaviglio

Kay L. Gaviglio

PATENT
Docket No. GC372

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Timothy Fowler et al.)	Group Art Unit: 1636
)	
Serial No. 08/876,132)	
)	Examiner: Daniel M. Sullivan
Filed: June 23, 1997)	
)	
For: Improved <i>Enterobacteriaceae</i>)	
Fermentation Strains)	

Supplemental Information Disclosure Statement

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO-1449 and attached thereto) of which they are aware, that they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith. 37 CFR §1.97(a).
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry into the national stage of a PCT application as set forth in 37 CFR §1.491.
- (c) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits.

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- (d) ☒ is filed after the first Office Action and more than three months after the application filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by the fee (\$220) set forth in 37 CFR §1.17(p). Authorization to charge Deposit Account No. 07-1048 in the amount of \$220.00 to cover the cost of this Information Disclosure Statement is provided in the Transmittal Letter submitted herewith in triplicate.
- (e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$130) set forth in 37 CFR §1.17(l)(1) and a certification as specified in 37 CFR §1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

A copy of the items on Form PTO-1449 is supplied herewith:

- ☒ each ☐ none ☐ only those listed below:

A concise explanation of relevance of the items listed on PTO-1449 is:

- ☒ not given
- ☐ given for each listed item
- ☐ given for only non-English language listed item(s)
- ☐ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

Those patent(s) or publication(s) on the attached Form PTO-1449 marked with an * are not supplied because they were previously cited by or submitted to the Office in Serial No. 08/876,132 filed August 24, 1998.

The Examiner is reminded that a "concise explanation of the relevance" of the submitted prior art "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention." MPEP §609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR §1.97(b), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Stone", with a horizontal line underneath.

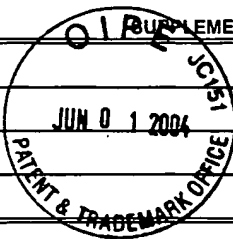
REG. # 32,242

Date: May 28, 2004

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SUPPLEMENTAL INFORMATION DISCLOSURE CITATION	
Attorney Docket No.: GC372	Serial No.: 08/876,132
Applicant: Timothy Fowler et al.	
Filing Date: June 23, 1997	Group: 1636
Page <u>1</u> of <u>1</u>	Date of this Submission: May 28, 2004



US PATENT DOCUMENTS

Examiner's	Document				Sub-	Filing
Initial	Number	Date	Name	Class	Class	Date
	3,790,444					
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	4,800,195					
	4,965,188					
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FOREIGN PATENT DOCUMENTS

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OTHER DOCUMENTS

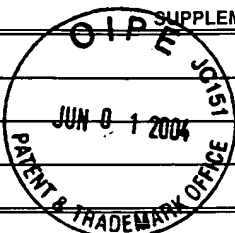
Examiner's	
Initials	Author, Title, Date, Pertinent Pages, etc.
	*Anderson, S. et al., "Production of 2-Keto-L-Gulonate, an Intermediate in L-Ascorbate Synthesis, by a Genetically Modified <i>Erwinia herbicola</i> ," <i>Science</i> , Vol. 230, 11 October 1985, pp. 144-149
	Ausubel et al., 1989, Current Protocols in Molecular Biology, Greene Publishing "Associates and Wiley Interscience, N.Y. – Book not sent
	*Bilic, M. et al., "Construction of Plasmid Vectors for Cloning 2,5- Diketo-D-Gluconate Reductase Gene in Genus <i>Erwinia</i> ," Annual Meeting of Croatian Biochemists, 17018 Lipnja 1993, pp.105
	*Bilic, M. et al., "Cryptic Plasmids from the Genus <i>Erwinia</i> in Construction of Stable Bifunctional Vectors for <i>Escherichia</i> and <i>Erwinia</i> ," <i>PLIVA Research Institute</i> , P1-18, B. Filipovica 89, 41000 Zagreb, Croatia Tel. (041/181-600)
	*Bilic, M. et al., "Isolation and characterization of a cryptic plasmid from <i>Erwinia citreus</i> ATCC 31623," <i>J. of Applied Microbiology</i> , V. 83, pp.485-492, 1997
	*Bilic M. et al., "Characteristics of Two Types of In vitro Constructed Plasmid Vectors for Bacterium <i>Erwinia citreus</i> ," <i>Prehrambeno-tehnol. Biotehnol.</i> , rev. 33 (1) pp.13-18 (1995)
	*Cha, J. et al., "Identification and Characterization of a <i>Pantoea citrea</i> Gene Encoding glucose Dehydrogenase That Is Essential for Causing Pink Disease of Pineapple," <i>Applied and Environmental Microbiology</i> , Vol. 63, No. 1, January 1997, pp. 71-76
	*Deliaie, V. et al. "Study, Construction and Cloning in Organisms for Conversion of Glucose to Ketoacids," <i>Ministry of Science and technology, Svibor - Collecting Data on Projects in Croatia</i> , Project Code: 1-08-045, 01/01/91 to 12/15/95—Internet Disclosure
	Frey et al., "The Molecular biology of IncQ plasmids. In: Thomas (Ed.), Promiscuous Plasmids of Gram Negative Bacteria. Academic Press, London, pp. 79-94, (1989).
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	*Grindley, J. F. et al., "Conversion of Glucose to 2-Keto-L-Gulonate, an Intermediate in L-Ascorbate Synthesis, by a Recombinant Strain of <i>Erwinia citreus</i> ," <i>Applied and Environmental Microbiology</i> , Vol. 54, No. 7, July 1988, p. 1770-1775
	Kageyama et al., " <i>Pantoea punctata</i> sp. nov., <i>Pantoea citrea</i> sp. nov., and <i>Pantoea terrea</i> sp. nov. Isolated from Fruit and Soil Samples," <i>International Journal of Systematic Bacteriology</i> , vol. 42, p. 203-210, 1992
	Lazarus et al., "Metabolic and Genetic Aspects of a Recombinant Bioconversion Leading to Ascorbic Acid," <i>Proceedings 6th International Symposium on Genetics of Industrial Microorganisms</i> , Strasbourg, Vol. II 1073-1082, 1990
	*Mamic, S. et al., "Stability of Constructed Plasmids in Genus <i>Erwinia</i> ," <i>PLIVA Research Institute</i> , P1-18, B. Filipovica 89, 41000 Zagreb, Croatia Tel. (041/181-600)
	Maniatis, "Phagemids: Plasmids Containing an Origin of Replication Derived from a Filamentous Bacteriophage," <i>Single Stranded, Filamentous Bacteriophage Vectors</i> , chapter 4 pp. 17-25 (1989) GC506
	*Miller, J. H., "In Curing of Episomes from E.Coli strains with Acridine Orange from Experiments in Molecular Genetics", <i>Experiments in Molecular Genetics, Society of Fellows, Harvard University</i> , Cold Spring Harbor Laboratory (1972), pp.104-106.
	Sonoyama et al., "Production of 2-Keto-L-Gulonic Acid from D-Glucose by Two-Stage Fermentation," <i>Applied and Environmental Microbiology</i> , vol. 43, p. 1064-1069, 1982
	Truesdell et al., "Pathways for Metabolism of Ketoaldonic Acids in an <i>Erwinia</i> sp.," <i>Journal of Bacteriology</i> , Nov. 1991, V. 173:21 pp. 6651-6656 (GC558)

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